

# ***PUBLIC SAFETY & PUBLIC INFORMATION COMMITTEE***

***Of the***

***Suffolk County Legislature***

## **Minutes**

A regular meeting of the Public Safety & Public Information Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York, on March 7, 2006.

### **Members Present:**

Legislator Jack Eddington • Chairman  
Legislator Wayne Horsley  
Legislator Vivian Vilorio • Fisher  
Legislator Joseph Caracappa  
Legislator Daniel Losquadro  
Legislator Jay Schneiderman

### **Members Not Present:**

Legislator Kate Browning • Vice • Chair

### **Also In Attendance:**

Legislator Cameron Alden • District #10  
Legislator Edward Romaine • District #1  
George Nolan • Counsel to the Legislature  
Ian Barry • Assistant Counsel to the Legislature  
Richard Baker • Deputy Clerk/Suffolk County Legislature  
Robert Calarco • Aide to Legislator Eddington  
Linda Burkhardt • Aide to Presiding Officer Lindsay  
Paul Perillie • Aide to Majority Caucus  
Linda Bay • Aide to Minority Caucus  
Ed Hogan • Aide to Legislator Nowick

Eric Brown • Aide to Legislator Schneiderman  
Bob Martinez • Aide to Legislator Montano  
Seth Squicciarino • Aide to Legislator Vilorio • Fisher  
Carl Yellon • Aide to Legislator Kennedy  
Brendan Stanton • Aide to Legislator Horsley  
Jim Maggio • Budget Analyst/Budget Review Office  
Jill Moss • Budget Analyst/Budget Review Office  
Ben Zwirn • Assistant County Executive  
Brian Beedenbender • County Executive Assistant  
Lynne Bizzarro • Chief Deputy County Attorney  
Jacqueline Caputi • Assistant County Attorney  
Robert Kearon • Division Bureau Chief/District Attorney's Office  
Robert Moore • Chief of Department/Suffolk County Police Department  
Aristedes Mojica • Inspector • Chief of Department's Office/SCPD  
Robert Scharf • Lieutenant • Staff Services Bureau/SCPD  
William Gardner • Tech Services/Suffolk County Police Department  
Joe Williams • Commissioner/Fire, Rescue & Emergency Services  
Tom O'Hara • Fire, Rescue & Emergency Services  
Gil Hanse • Town of Babylon Fire Marshal  
John Desmond • Director/Suffolk County Probation Department  
Tom Henry • Suffolk County Probation Department  
Hope Collazo • Director/Community Service Program • American Red Cross  
Debbie Eppel • Public Information Office  
Maria Perez • Lent • STOP DWI Coordinator  
Tom Muratore • Vice • President/Police Benevolent Association.  
Vito Dagnello • President/Correction Officer's Association  
Matt Bogert • 1st Vice • President/Correction Officer's Association  
Bill Mulligan • President/Superior Officer's Association  
Danny DelValle • 1st Vice • President/Probation Officer's Association  
Kitty Merrill • The Independent Newspaper  
Colleen Ansanelli • Criminal Justice Coordinating Council  
Laura Ahearn • Parents for Megan's Law  
Catherine Hoak • Suffolk County League of Women Voters  
Mary McLaughlin • Suffolk County League of Women Voters  
Nathaniel J. Hendricks • Resident of Port Jefferson  
Sandy Sullivan • Legislative Liaison/AME  
All Other Interested Parties

**Minutes Taken By:**

Alison Mahoney • Court Stenographer

***(\*The meeting was called to order at 11:57 A.M.\*)***

**CHAIRMAN EDDINGTON:**

Okay, I'd like to start with the Pledge of Allegiance; if I could have Legislator Schneiderman lead us in that.

**LEG. SCHNEIDERMAN:**

If you would all rise.

***Salutation***

**CHAIRMAN EDDINGTON:**

Thank you. I'd like to ask you to stand for another second. Legislator Browning is representing the committee here at the funeral for our fallen soldier, Thomas Willworth, an Army Specialist who lost his life late in February in Iraq and I would like to have a moment of silence for him, please.

***Moment of silence observed***

Thank you very much. Okay. We have no correspondence. I have no cards. Is there anybody that would like to speak to the three minutes? No, okay. Then I have a presentation by Director John Desmond, Suffolk County Probation Department.

**DIRECTOR DESMOND:**

Good morning. I appreciate the invitation. I'd like to just briefly describe the activities of Suffolk County Probation, take any questions and let you get down to some important business.

The Suffolk County Probation Department next year will be celebrating it's 100th Anniversary as an organization. Currently, the Probation Department has 283 sworn officers and 127 support staff. Probation is basically the

utility infielder of the criminal justice system. We take on lots of unusual responsibilities that nobody else can come up with any reason for them to have.

When someone is arrested in Suffolk County and transported to the courts, before they see a judge they're interviewed by some individuals who make a recommendation to the judge about bail status and about the possibilities of ATI's, alternatives to incarceration programs; that's done by our ROR Unit. After someone is arraigned, in order to determine if they're eligible for Legal Aid, there's a Legal Aid eligibility interview done, that's done by the Probation Department. After someone takes a plea, before they can be sentenced a presentence investigation is done which is conducted by the Probation Department.

The Probation Department also has the responsibility for most of the ATI programs in the County. We do the Criminal Court supervision and we have the Warrant Unit for probation violators.

In addition to those functions, the Probation Department also does the Family Court petitions, domestic violence orders of protection, custody matters, we do adoptions, visitations; basically we are the gatekeeper for the Family Court.

In addition, we have Juvenile Diversion Programs, both for PINS and juvenile delinquents. We have juvenile supervision programs. We also, in terms of juvenile offenders, have the same role as the Police •• as the Sheriff's Department, we're the ones responsible for the care and maintenance immediate feeding, medical care and such of all juveniles arrested in Suffolk County by any law enforcement agency; we house them, we provide transportation to and from the courts, to and from any needed medical care, psychiatric care. We also do the juvenile investigations and we oversee placement of juveniles both inside Suffolk County, outside Suffolk County, in the State and out of State. In 2005, 297 children were placed by Suffolk County outside the County.

Our activities are wide•ranging. We're renowned throughout the country for the programs that we've developed. Our •• my workforce, God bless them, are incredibly dedicated and very well trained, highly educated. We have a

large number of officers that have their Masters in Social Work or Public Administration.

In 2005, we supervised approximately 10,200 adults, we supervised 833 children in regular supervision, we diverted approximately 1,200 PINS and JD cases. We recovered in restitution \$8.3 million for victims. We collected \$1.5 million in fees. We filed close to 16,000 Family Court petitions, our ROR Unit conducted close to 18,000 investigations for bail status. Our presentence investigation staff conducted 6,247 investigations; in effect, you're getting your money's worth from us.

We divide the department into three sections; Adult Supervision, Family Court Services and our new Alternatives To Incarceration. As a result of the concern about the jail overcrowding, we set up a special section that puts the priority on identifying individuals that would be appropriate to intervention to either get them out of jail quickly or to keep them out completely.

Among the innovative programs that the department has established in the last few years has been the Juvenile Day Reporting Program which is focused on juvenile delinquents who the Family Court has indicated that they wish to place and this is their last chance. It takes them out of a normal school setting and out of institutional settings into a special program that we run each day for them, we provide the transportation, it's operated out of parks with educational specialists and all the support staff, it gives them a hands•on education and not the kind of classroom setting that they have been unable to cope with.

We have gang units for both juveniles and adults and we have recently set up two new adult programs, a narcotics unit for the high risk addicts and a new mental health program based on the Farmingville mental health clinic, this is in cooperation with the Health Department. We are also working with the new District Court, Psychiatric Court, to identify those individuals most likely to go to jail and be held pending disposition of their case.

Approximately 15 to 20% of the inmates in the jail have significant mental health problems, we've identified this population as a very good approach to

reduce the jail population, reduce recidivism and at the same time aide these individuals. What we attempt to do there is stabilize them, provide them with additional resources in either housing or employment or education and maintain supervision to make sure they don't slip back.

I have requested to be passed out to you a listing of all the programs that we are currently running in the department. If you have any questions concerning any of them, I would be glad to take them.

Thank you.

**CHAIRMAN EDDINGTON:**

All right. Any questions from the committee? Yes.

**LEG. VILORIA•FISHER:**

Thank you for being here, Director Desmond.

**DIRECTOR DESMOND:**

Thank you, I appreciate it.

**LEG. VILORIA•FISHER:**

Good to see you. And by the way, it's good afternoon; we had •• we made you wait a little bit, sorry about that. I have a question about the Juvenile Detention Facility that we •• we had been on•line to build that and then the State pulled out of that. What kind of cost are we incurring at this point in transporting juveniles to out•of•area detention facilities?

**DIRECTOR DESMOND:**

I don't have the total cost in front of me, but my guess would be between three and four million a year. It costs us roughly \$360, this is an average, \$360 a day for each child that we house outside the County.

**LEG. VILORIA•FISHER:**

Do we have any indication that the State is going to come back on board with the building of a facility here in Suffolk County?

**DIRECTOR DESMOND:**

Funny you should ask that. We have spoken to Nassau County about the



possibility of creating a jointly run shelter located somewhere on Long Island, those talks are still in the formative stages. At the same time, we're also interested in the possibility of leasing a location just by Suffolk County, again, somewhere in Suffolk County until such time as we may be able to build a facility someplace. The general holdup, and this has been the case now for ever since I've been Director, has been the reluctance of the State to give us a definitive number of beds. The State has limited the number of children's detention beds that can exist in the State. If they decide that Suffolk County will be awarded 18 beds or 24 beds, then they have to reduce by that number of beds someplace else in the State. We have been attempting to get them to commit to us for quite some time.

In January I sent another letter to the Commissioner of the Office of Children and Family Services requesting that they give us a commitment to a definitive number so we can plan accordingly. I received a letter from them last Monday indicating that they would like to have a work group to sit down with us and establish a number. I sent back a letter to them on Monday listing representatives from both the Probation Department and from the County Executive's Office that would be overjoyed to sit down with them to arrive at a definitive number.

**LEG. VILORIA • FISHER:**

So it's not population density based at all.

**DIRECTOR DESMOND:**

No, it's based on utilization.

**LEG. VILORIA • FISHER:**

In other words, they don't want us to deplete the beds that are already built somewhere Upstate and have the kids come here.

**DIRECTOR DESMOND:**

Yeah. The State, basically to save money because they reimburse half the rates, they put a cap on the number of beds in the State. So for them to allow Suffolk County to create something down here, they have to come up with some beds from someplace else in the State, and the system is already taxed heavily.

**LEG. VILORIA • FISHER:**

Mr. Chair, I know that we're just supposed to be asking questions, but I really can't keep myself from commenting on this because it's so bizarre to hear this. And a few years ago we did speak •• we had quite intense conversations here on the impact that this has on the youngsters and their families. If you take a kid who's in trouble and move him, separate him or her from the family, from the support system, then what you're doing is exacerbating a difficult situation. The cost benefits are not there for us, it's more expensive to ship kids out. The State at that time had threatened to •

• I don't know if they were actually sanctioning us, but was threatening us because we didn't have a facility here. And there were quite a number of newspaper articles about the fact that we had no facility here and now the State has pulled us out from under us.

So as people, and I know the people of this committee are great advocates for families and children in particular, we really need to keep a very close eye on this and perhaps put some pressure on the State powers that be. And I'm very impressed that we're moving ahead with what both County Executive Levy and County Executive Suozzi said which is that we have to start thinking regionally and so perhaps as a regional entity we might be able to have the State move to have a regional juvenile facility, at least parents would be able to get to their kids. Thank you.

**CHAIRMAN EDDINGTON:**

Yes, it does make absolute sense. And I will be talking to my State representative tonight about it, so. Anybody else have any questions? Yes, Legislator Romaine.

**LEG. ROMAINE:**

Thank you, Mr. Chairman. Just some very brief questions. As you know, I'm not a member of this committee but I had some questions for Mr. Desmond. Mr. Desmond, how many vacancies currently are there in Probation for Probation Officers and support staff at this time?

**DIRECTOR DESMOND:**



Okay. I have currently 12 Senior Probation Officer vacancies, I have two Probation Officer vacancies, I have two Probation Investigator vacancies, and I just was informed yesterday that one of my Probation Investigators will be going over to DSS so I'll have another one shortly, and I think I have two Probation Assistant vacancies currently. In terms of supporting staff, I have about 14 clerical vacancies and I believe three supervisors.

**LEG. ROMAINE:**

Let me ask you some other questions about Probation. Obviously I have a concern because one of the things that has been discussed is that we could reduce the size of our proposed new jail by having more Probation Officers as an alternative to incarceration. Is •• could you tell me a little bit about the Intensive Supervision Program, the ISP Program?

**DIRECTOR DESMOND:**

ISP is a program that was •• that we had run informally for a number of years back in the 1970's and early 80's, it was instituted Statewide I believe about 1982 or 1983 and we received some State monies for the program.

**LEG. ROMAINE:**

And the purpose of the program?

**DIRECTOR DESMOND:**

The purpose of the program is to have small caseloads that allow us to identify individuals that have a high percentage chance of reoffending and work with them intensively providing supervision and services to them. We generally try to have caseloads of about 35 for an intensive supervision caseload; I don't think we quite get there most of the time but that's our goal.

**LEG. ROMAINE:**

Could you tell me, is there any Intensive Supervision Program active in the east end towns?

**DIRECTOR DESMOND:**

No, there isn't.

**LEG. ROMAINE:**

So there is no Intensive Supervision Program on the east end towns.

**DIRECTOR DESMOND:**

Right. We have a Probation Officer instead assigned to the East End Drug Task Force and he does much of the same function that the Intensive Supervision Probation Officers do, except he also works very closely in conjunction with the law enforcement groups out on the east end.

**LEG. ROMAINE:**

Let me ask you, if I could, about the PAT Program, the Probation Alcohol Treatment Unit. What are the caseloads that your officers are carrying; maybe you could define that east end/west end, obviously representing an east end district.

**DIRECTOR DESMOND:**

Yes. The east end is our weakest spot for the probation alcohol treatment. We have 42 cases for the officer that's assigned out there.

**LEG. ROMAINE:**

That's an average caseload on the east end.

**DIRECTOR DESMOND:**

Right.

**LEG. ROMAINE:**

Right, okay.

**DIRECTOR DESMOND:**

And the average caseload for the County is 26.

**LEG. ROMAINE:**

Okay.

**LEG. SCHNEIDERMAN:**

Could you repeat the numbers?

**DIRECTOR DESMOND:**

Yeah. The average caseload for the Probation Alcohol Treatment Unit is 26, these are individuals that have a significant number of DWI's and that we believe have the strong likelihood of reoffending.

**LEG. ROMAINE:**

And that's County wide.

**DIRECTOR DESMOND:**

And that's County wide.

**LEG. SCHNEIDERMAN:**

What's the average caseload on the east end?

**LEG. ROMAINE:**

Forty•two.

**DIRECTOR DESMOND:**

Forty•two.

**LEG. ROMAINE:**

Let me ask you about the Day Reporting Center; could you tell me something about how that functions in the probation system?

**DIRECTOR DESMOND:**

Day Reporting Center has a number of functions in the Probation Department. It's used as a day treatment, primarily for substance abuse individuals who are on probation or who are awaiting sentence. We provide ••

**LEG. ROMAINE:**

It's a way to prevent them from going back to prison by making them report each and every day?

**DIRECTOR DESMOND:**

They come in •• that particular group reports each day, they're there all day, they receive medical, educational, substance abuse counseling services and some employment services.

**LEG. ROMAINE:**

And the Day Reporting Center, that's located in Hauppauge.

**DIRECTOR DESMOND:**

Correct.

**LEG. ROMAINE:**

Is there any Day Reporting Center for the east end at all?

**DIRECTOR DESMOND:**

No. The furthest ••

**LEG. ROMAINE:**

I'm sorry. Do you refer any •• are there any clients that are coming, or I don't know what to call them, people that are reporting to this day center from the east end currently?

**DIRECTOR DESMOND:**

The furthest that we normally get individuals from is from the Riverhead/Flanders area, because there is a bus route that will take them out to the Day Reporting Center; we provide bus tokens and transfers to allow them to get there. A bigger concern in terms of transportation difficulties is with our Mastic/Shirley group because they have to change buses a number of times and that trip is even further.

In the past, and we haven't done this in quite a while, but in the past we ran vans out as far as the Riverhead area to allow individuals from further out on the forks to come in, but we have not had that much of a demand for services out on the east end. I have a supervisor at the Day Reporting Center who has been meeting with both Probation and judicial personnel and attorneys to try to drum up some additional business, but that has traditionally been a weakness of the Day Reporting Program for adults.

**LEG. ROMAINE:**

And without day reporting, then the only alternative is incarceration.

**DIRECTOR DESMOND:**

Well, that would be a final. What we try to do is provide intensive supervision under some of the other units that we have, but we can't give the full panoply of services to those individuals that we can to the Day Reporting inhabitants, clients.

**LEG. ROMAINE:**

How does your caseload •• and I'll talk County wide now, how does your caseload compare to any national standards that have been set by professional groups in your field? What is the normal caseload and are there variances with recommended caseloads and the caseloads your offices are currently carrying?

**DIRECTOR DESMOND:**

Okay, let me just give you a little background first on that because, you know, as usual, a lot of these are not simple questions.

The Probation Department I think is kind of unique in the way that we handle caseloads, and what we do is we divide individuals up by levels depending on how serious their problems are and the likelihood of recidivism. Normally we divide them into three levels, Level I, Level II, Level III. Unlike with the sex offenders where three is the highest, for us three is the lowest; just to confuse you further. Two•thirds of our juvenile caseloads are specialized caseloads that have small numbers of individuals on the caseload, somewhere between 15 and 35. One•third of our adult caseloads are specialized caseloads where we provide those intensive services. When you get national averages, what they're talking about is lumped together caseloads of individuals that have different levels of needs and services. So depending on what standards you look at, where national recommendations, professional standards and such run anywhere from 50 to 65, our Level II, which is our average offender caseloads, we average 70; 69.9, it's 70. Our Level I caseloads, again, are the specialized intensive caseloads and those vary between 15 and 35 to 40, when we get startingly up to 40 you start losing the effect of having intensive specialized caseload.

In addition, we have what I refer to as Level III caseloads and those are the ones that are doing well on probation and have been and they're going to be the ones that we're going to either be maxing out, completing their probation or we're going to be recommending to the courts that they be discharged from probation, and those caseloads can run anywhere from 125 to over 200, depending on the situation. I did a calculation for as many of the east end caseloads, the Level II caseloads as I could yesterday, I believe that our Level II caseloads out there are roughly about 66.

**CHAIRMAN EDDINGTON:**

Thank you. Legislator Alden.

**LEG. ALDEN:**

Through the Chair, I would just look to ask if Mr. Desmond could give us an update on the monitoring for sex offenders, and I'll tell you why I think it's relevant to today. I have a piece of legislation proposed that would add Level I's, and the reason why I'm adding Level I's is I overlooked it. Laura Ahearn called my office and said that some Level I's would probably be as appropriate as Level II's and III's to be fully monitored and it was an oversight on my part. So if Mr. Desmond could give us an update on where we are with that program.

**CHAIRMAN EDDINGTON:**

Yes, sure; please.

**DIRECTOR DESMOND:**

Thank you, I appreciate the offer. I think that there's been a little confusion because there have been a number of Legislative resolutions in the last few years on this topic. Back in November I had appeared before this committee to do a presentation on our technical report on the feasibility of the active GPS units; I have copies here if anybody would like to have one.

What that report stated is that the technology is now advanced to the point where we believe it's feasible to institute a pilot program. We recommended that such a thing be financed in the 2006 budget and it was, the County Executive made it an important priority and the Legislature has historically



indicated their interest in this technology. Because of the way that this field is so rapidly changing, we've requested a waiver instead of going to Request For Proposals on this. We've identified one firm that we think can provide us with satisfactory equipment, but we don't want to be locked into a long-term contract because there's just too much ferment in the field and when we go to this big time •• if we go with this big time, we want it to be cutting edge.

We anticipate starting out with 25 units, we've budgeted for as many as 100 units for the department by the end of the 2006 budget year. We're only planning to staff this out of existing vacancies for now; this is the learning part of the curve. What we need to find out is how accurate this equipment is and one kind of alarms we're going to get using this equipment, because this is going to give us real time locations of where these individuals are at all times. We're going to be able to plot out boundaries for them, so that if they're supposed to be at work at nine o'clock in the morning in West Islip and they're not there, we'll get a notification. The latest equipment that we're looking at will allow us in some way to contact those people directly off the unit instructing them to contact us so we can find out why they're not where they're supposed to be. When they don't contact us or we're concerned about something, the idea would be to send a flying squad out to directly contact them and see what's going on in the case.

Our perception is that we're going to find out that different types of offenders will give us different types in numbers of alarms. So you may have someone with substance abuse problems or someone with psychiatric problems or someone who is a sex offender we believe will trigger different kinds of frequencies of alarms and in different ways.

One of the things that we've discovered over the years that we've been working with the sex offenders is that the registration levels are only an indicator, they don't tell the whole story. So you may have someone who's a Level I sex offender, but when we're dealing with this person we may consider him a much higher threat level. So to have the Level I sex offenders included in the pilot program is something that we're intending to

do anyway because we need to get the documentation concerning how these individuals behave under the active electronic monitoring.

**LEG. ALDEN:**

Okay.

**CHAIRMAN EDDINGTON:**

Okay, thank you. Legislator Horsley.

**LEG. HORSLEY:**

Yeah, I just have a quick question on a different issue. Director, you had made the statement earlier that concerning those young people who have medical issues and the like, that you reach out trying to find them jobs and things like that; how do you go about getting these young people jobs? What does your program look like, is it with Labor or how does that work?

**DIRECTOR DESMOND:**

We actually have a number of different approaches that we take. With the younger children, the primary thrust is for them to be in school.

**LEG. HORSLEY:**

Okay.

**DIRECTOR DESMOND:**

We •• with the ones that are in high school, that are like six, up to like 16 or 17, we push school completely. If they're doing well, the Probation Officers that work with them will attempt to help them find part•time jobs. If we find that the school work suffers as a result of that, they're told that they have to stop working and just focus back on school. With the older population between 16 and 19, we often work with the school districts to get them vocational training instead of the normal educational at the high schools, either through BOCES or other programs. We work in conjunction with the Department of Labor, both with the young adults and with adults, to avail them of those services. In addition, a number of my Probation Officers have relationships with different firms, companies that exist in their geographic field areas and they often refer people to jobs in those areas. Finally, we have an employment specialist in the Probation Department that

works with a number of the hard to place.

**LEG. HORSLEY:**

And when they are hired as hard to place candidates, does the companies take on the responsibilities for their medications and things like that; how does that work? Because you basically said that they were mentally ••

**DIRECTOR DESMOND:**

We have individuals that are mentally ill, we would never expect a company to, you know, take on that. If we have someone in a mental health unit, that Probation Officer monitors them intensively for medication. What we can sometimes do in terms of helping employers is targeted tax credits and things like that which they may be eligible for by hiring somebody that's on probation, and we'll do the paperwork that will get them that or some other similar bonus.

**LEG. HORSLEY:**

And that tax credit program is in place?

**DIRECTOR DESMOND:**

Yes, there's a tax •• I believe there's a tax credit program and there's also another program which I was just recently told about that also provides incentives. One is I think a direct payment and the other one is a reduction from income tax.

**LEG. HORSLEY:**

Do companies know about this? Because frankly, I didn't, I wasn't aware of it, that's interesting.

**DIRECTOR DESMOND:**

The programs come and go, so you have the situation where we have a successful relationship with a company for a couple of years and we do this and then the money runs out on that from the State or the feds and then later on we get funded again so we go back out and we start telling people. It's unfortunately rather half•hazard.

**LEG. HORSLEY:**

Okay, thank you.

**CHAIRMAN EDDINGTON:**

Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

On the electronic monitoring of sex offenders. Right now •• because you're speaking of getting a waiver, getting the program up and running for leasing 25 monitors, right now there are no sex offenders that are wearing electronic monitors in Suffolk County; is that the case or are there some through a different program?

**DIRECTOR DESMOND:**

There are a few.

**LEG. SCHNEIDERMAN:**

How many?

**DIRECTOR DESMOND:**

I really •• I can't give you a firm number. Historically we have not had a large number of sex offenders under electronic monitoring. Basically under passive electronic monitoring, it doesn't really give us enough information to have a high level of comfort with them. They're generally very cooperative and docile with their supervision, but they also do a lot of growing, they're very sneaky. And I'm not comfortable at all in the success of passive electronic monitoring with sex offenders. We have probably done more electronic monitoring of juveniles out of the Family Court than we have done out of Criminal Court.

**LEG. SCHNEIDERMAN:**

When you say passive •• you're saying passive electronic monitoring?

**DIRECTOR DESMOND:**

Passive electronic monitoring.

**LEG. SCHNEIDERMAN:**

How is that different from the GPS system?

**DIRECTOR DESMOND:**

Well, the GPS is real time and provides us the information immediately. The passive electronic monitoring only works, it's basically house arrest. The person has to be within a certain number of yards of the monitoring unit; if he goes outside that monitoring unit we get an alert.

**LEG. SCHNEIDERMAN:**

And do you know how many of those passive units are in place right now?

**DIRECTOR DESMOND:**

We have roughly about 70 to 75 in place at all times. The thing I was just discussing at the previous committee meeting before Budget is what we're finding out now is that the passive electronic monitoring depends on people having house phones, and the very population that we most want to monitor don't have house phones.

**LEG. SCHNEIDERMAN:**

Okay. But the GPS location, that doesn't require a cell phone or a house phone or anything.

**DIRECTOR DESMOND:**

No.

**LEG. SCHNEIDERMAN:**

It's separate, it's an ankle bracelet?

**DIRECTOR DESMOND:**

It's basically a cell phone reporting to us through a satellite.

**LEG. SCHNEIDERMAN:**

Okay. And of the pool of sex offenders, when you're talking about 25 of these maybe up to a hundred later on, how many sex offenders are we

targeting, how many sex offenders do we have in Suffolk County?

**DIRECTOR DESMOND:**

We have currently between 275 and 300 that are on probation.

**LEG. SCHNEIDERMAN:**

Why aren't we seeking to get them all electronically monitored?

**DIRECTOR DESMOND:**

Well, to begin with I'm not sure how effective it would be. There's a severe cost factor in addition to the cost of the equipment. Now, the cost of equipment has just dramatically dropped in the last two years, it's dropped by two-thirds.

**LEG. SCHNEIDERMAN:**

My guess is the public would support the additional cost to get everyone monitored.

**DIRECTOR DESMOND:**

Right. The question is, and I can't give you an answer on this, is the efficacy; is that going to really impact on all of the sex offenders. A lot of sex offenders, grown children's victims in their own houses, and that's not something that you can determine by electronic monitoring, you need an officer to go out there, check on what's going on, check with the family, if the person is living away from his family, making sure that they're not having contact with the family, the family is not coming over to the house, those types of things. That's why we need to do a pilot program on this, to see how effective it would be and for what types of offenders, and not just the sex offenders but for addicts, DWI's, everybody.

**LEG. SCHNEIDERMAN:**

Where are we in relation to, let's say, Nassau County; do they have a program up and running already?

**DIRECTOR DESMOND:**

They have a couple of units only.



**LEG. SCHNEIDERMAN:**

Of GPS?

**DIRECTOR DESMOND:**

Of GPS.

**LEG. SCHNEIDERMAN:**

What about other •• Westchester County, other large counties?

**DIRECTOR DESMOND:**

Same thing. Nobody, I believe at this point, to the best of my knowledge, nobody has a really large program up and running. Two states, Florida and North Carolina, have relatively wide•scale sex offender monitoring, but wide •scale in terms of the fact that it's Statewide. When you look at the actual stats, they're only monitoring maybe two to three per County.

**LEG. SCHNEIDERMAN:**

Okay. I just would like to see us playing a leading role in the monitoring of sex offenders and I think we ••

**DIRECTOR DESMOND:**

I would love to, too.

**LEG. SCHNEIDERMAN:**

The technology is there, we ought to be doing it.

**DIRECTOR DESMOND:**

We have very experienced staff that work with our sex offenders and they will be tied in closely to the electronic monitoring component, both to advise us and to evaluate. You know, I don't want to over sell the program, I don't want to promise what I can't deliver. There was a situation six months, a year back where an individual on passive electronic monitoring was caught at a bar •• at a Borders engaging in not appropriate behavior around some children; the electronic monitoring unit was useless for that, once he's away from the house we can't do anything. The active GPS might have clued us in and we might have responded there quickly, but I just don't know how effective this new technology is going to be with the sex offenders. And

frankly, I don't think anybody in the country knows yet, it's just way too new.

**LEG. SCHNEIDERMAN:**

Thank you.

**CHAIRMAN EDDINGTON:**

Legislator Caracappa.

**LEG. CARACAPPA:**

Thank you, Mr. Chairman. Just two quick follow-up questions, I'll stay on this one first. Could you provide members of the committee, I guess, somewhat of a report or a statement from yourself at your level of comfort as it relates to the level of amount •• or the amount of sex offenders that should be on the monitoring here in Suffolk County; you say maybe not all of them should be, but we'd like a number where you feel comfortable. And the price associated with that because we are coming in to the Capital Budget cycle and if we are going to consider doing this, like Legislator Schneiderman said, now is the time to get those numbers and those facts from you on a hard copy and a dollar amount so that we can consider it in the upcoming budget process. So if you could do that for us in the next couple of months.

**DIRECTOR DESMOND:**

Right. You know, I can give you a total number of sex offenders, total number of registered sex offenders in the County, that kind of thing, what I can't do is tell you what percentage if those I'd be comfortable monitoring because we haven't begun, I don't have feedback, we don't really know where we are yet. But I can give you numbers, I can tell you probably how much it would cost to staff a large program because you would need Probation Officers on the road 24 hours a day, seven days a week; I can do those numbers.

**LEG. CARACAPPA:**

I would appreciate that. And maybe through myself or Legislator Schneiderman, or the Chair would be most appropriate.

**CHAIRMAN EDDINGTON:**

Yeah, no, I'd would appreciate that.

**DIRECTOR DESMOND:**

With the Chair's approval, I will forward those numbers to you as quickly as possible.

**CHAIRMAN EDDINGTON:**

Please do, yes.

**LEG. CARACAPPA:**

Secondarily, you bring up staff and that was my second question, it goes back to Legislator Romaine's initial question about the positions you stated were vacant within your department; are those positions budgeted for this year?

**DIRECTOR DESMOND:**

Yes.

**LEG. CARACAPPA:**

They are? And you've made the request ••

**DIRECTOR DESMOND:**

Yes.

**LEG. CARACAPPA:**

•• to fill those positions this year?

**DIRECTOR DESMOND:**

Yes, I think January 3rd I had them all in.

**LEG. CARACAPPA:**

Okay. I appreciate that. Thank you.

**LEG. SCHNEIDERMAN:**

Just as a follow•up to that. So what is happening, are there not individuals

to fill them or the SCIN forms aren't being signed?

**LEG. CARACAPPA:**

The SCINS aren't being signed.

**LEG. SCHNEIDERMAN:**

Well, it's for the record; I know the answer.

**DIRECTOR DESMOND:**

So far I've had two Senior Probation Officer, two Probation Officer and two Probation Investigator SCINs signed this year.

**LEG. SCHNEIDERMAN:**

Right. I mean, you know, I think the global concern is we look to reduce the size of the future jail and try to promote alternatives to incarceration, that somebody is going to say, "Well, probation doesn't work." Why isn't it working? Well, it's not working because we have Probation Officers with a hundred people who they're monitoring, they can't possibly do that, they're trying their best. You know, I think that's a serious situation, it needs to be fixed. You know, at least bring it into line to some national standard, some internal standard where probation is effective.

**DIRECTOR DESMOND:**

Okay, if I could just respond to that. I appreciate very much the concern and, yes, our caseloads are in some cases, you know, over maybe a national •• well, there really is no national standard, there's a lot of professional standards. If I could just take a minute ••

**LEG. SCHNEIDERMAN:**

Commissioner Desmond, I mean, do you have Probation Officers who have caseloads in excess of 100, which is what I've heard?

**DIRECTOR DESMOND:**

Yeah, what I referred to was the Level III caseloads.

**LEG. SCHNEIDERMAN:**

Level III?

**DIRECTOR DESMOND:**

Right, and those are individuals that we just have a very high comfort level with ••

**LEG. SCHNEIDERMAN:**

Okay.

**DIRECTOR DESMOND:**

•• and that will be coming out of the system quickly. I just have some recidivism statistics, if I could just share with you for two more minutes and then I'm out of here.

**CHAIRMAN EDDINGTON:**

Maybe.

**DIRECTOR DESMOND:**

Yeah, I was told about time here and I think I'm in trouble.

**CHAIRMAN EDDINGTON:**

No, no, not you. Go right ahead.

**DIRECTOR DESMOND:**

Okay. Regarding the individuals in our Sex Offender Unit, these are the statistics for 2005. We had an overall recidivism arrest rate, individuals in the unit of 9.2%. Of those rearrested for a sexual offense, it was 1.3%; these are incredibly below national norms.

In our Mental Health Unit, we have an individual rearrest rate of 8.4% and an arrest for violent felonies or assaults collectively of 1.9%. Before we set up this unit, we routinely had arrest rates among this population of recidivism rates around 35 to 40%; I've been stunned by the results of this. Alcoholism, the Probation Alcohol Treatment Program, we have a 9.1% and a DWI rearrest rate of 1.2%.

**LEG. SCHNEIDERMAN:**

Well, it sounds like the program is working, I'm sure it's the fine men and

women who work within the department that are handling those caseloads. But I think that there's an overburdened situation that can only be addressed by additional staff which would only improve upon those numbers.

**CHAIRMAN EDDINGTON:**

Thank you. I'm just going to ask you to furnish for me five years of the staffing that obviously •• I've been told many times I'm the new guy, so I need a lot of information. I'd like to know for the last five years the staffing that you've had in the department, clerical, senior, all levels, so that I know where it's progressed, if it's gone backwards, if it's gone forwards, and then where we could go next year if we had the people in place. All right?

**DIRECTOR DESMOND:**

My pleasure.

**CHAIRMAN EDDINGTON:**

All right, then. Thank you very much, Director.

**DIRECTOR DESMOND:**

Thank you. Have a good day.

**LEG. VILORIA•FISHER:**

Thank you.

**CHAIRMAN EDDINGTON:**

Okay, then I'd like to look at the Tabled Resolutions.

**Tabled Resolutions**

***IR 1048•06 • A Local Law strengthening the procedures and remedies of the Suffolk County Human Rights Commission (Mystal).***  
I've been requested by the sponsor to seek to table.

**LEG. CARACAPPA:**

Second.



**LEG. SCHNEIDERMAN:**

Second.

**LEG. LOSQUADRO:**

I'll second that motion.

**CHAIRMAN EDDINGTON:**

Second by Legislator Losquadro. Thank you.

**LEG. LOSQUADRO:**

Call the vote.

**CHAIRMAN EDDINGTON:**

Call? All in favor? Opposed? Abstentions? Okay, ***it's tabled***  
***(VOTE: 6•0•0•1 Not Present: Legislator Browning)***.

### **Introductory Resolutions**

***1154•06 • A Local Law to amend Article II of Chapter 270 of the Suffolk County Code to provide further protections under the "Crack House Law" (Cooper).*** Okay, I'm looking for ••

**LEG. VILORIA•FISHER:**

Table.

**CHAIRMAN EDDINGTON:**

Motion to table.

**LEG. HORSLEY:**

Second.

**CHAIRMAN EDDINGTON:**

Second, okay.

**LEG. LOSQUADRO:**

For a public hearing?

**CHAIRMAN EDDINGTON:**

Yes, for a public hearing. Okay, that was Legislator Vilorio•Fisher and Legislator Horsley. All those in favor? Opposed? Abstentions? Okay, ***tabled (VOTE: 6•0•0•1 Not Present: Legislator Browning).***

***IR 1159•06 • A Local Law to protect Suffolk County residents by permitting the seizure and forfeiture of vehicles engaged in unlawful speed contests or races (Cooper).*** This needs to be •• I'll look for a motion to table for a public hearing.

**LEG. SCHNEIDERMAN:**

Motion.

**CHAIRMAN EDDINGTON:**

Legislator Schneiderman.

**LEG. LOSQUADRO:**

I'll second.

**CHAIRMAN EDDINGTON:**

Second by Legislator Losquadro. All in favor? Opposed? Abstentions? Okay, ***so tabled (VOTE: 6•0•0•1 Not Present: Legislator Browning).***

***1161•06 • Authorizing the use of electronic monitoring devices for all sex offenders (Alden).***

**LEG. HORSLEY:**

Motion to approve.

**CHAIRMAN EDDINGTON:**

Motion to approve by Legislator Horsley.

**LEG. CARACAPPA:**

Second.

**LEG. SCHNEIDERMAN:**

Second.

**CHAIRMAN EDDINGTON:**

Second by Legislator Vilorio•Fisher. In favor? Opposed? Abstentions? Okay, ***so approved (VOTE: 6•0•0•1 Not Present: Legislator Browning).***

**LEG. ALDEN:**

Thank you.

**CHAIRMAN EDDINGTON:**

***IR 1170•06 • Accepting and appropriating a community enhancement grant in the amount of \$5,800 from the Town of Brookhaven for the Suffolk County Police Department to purchase fingerprinting equipment to assist child protection advocates with 100% funding (Eddington).***

**LEG. SCHNEIDERMAN:**

Motion.

**CHAIRMAN EDDINGTON:**

I have a motion.

**LEG. VILORIA•FISHER:**

Second and place it on the consent calendar.

**CHAIRMAN EDDINGTON:**

Yes, we want to have it on the consent. Motion by Legislator Caracappa, second by Legislator Vilorio•Fisher.

**LEG. SCHNEIDERMAN:**

The motion is to approve and place on the consent calendar.

**LEG. CARACAPPA:**

Yes.

**CHAIRMAN EDDINGTON:**

Thank you. The vote, all in favor? Opposed? Any abstentions?

No, okay. ***Approved and placed on the consent calendar (VOTE: 6•0•0•1 Not Present: Legislator Browning).***

***IR 1183•06 • Accepting and appropriating 75% Federal Pass •through grant funds from the NYS Emergency Management Office of Suffolk County Department of Fire, Rescue and Emergency Services for a FY 2005 Pre•Disaster Mitigation Planning (PDMC) grant and to execute grant related agreements (County Executive).***

**LEG. SCHNEIDERMAN:**

Motion.

**CHAIRMAN EDDINGTON:**

I have a motion to accept by Legislator Schneiderman, second by Legislator Losquadro. All in favor? Opposed? Abstentions? Okay.

***Approved (VOTE: 6•0•0•1 Not Present: Legislator Browning).***

***IR 1229•06 • A Local Law to provide fair and equitable cost containment for residents in certain Emergency Service Districts (Schneiderman).***

**LEG. SCHNEIDERMAN:**

Motion to approve.

**CHAIRMAN EDDINGTON:**

This needs to be tabled for a public hearing.

**LEG. SCHNEIDERMAN:**

Oh, public hearing, okay.

**CHAIRMAN EDDINGTON:**

Do I have a motion?

**LEG. SCHNEIDERMAN:**

Motion.

**CHAIRMAN EDDINGTON:**

Motion by Legislator Schneiderman. Second by?

**LEG. LOSQUADRO:**

I'll second it.

**CHAIRMAN EDDINGTON:**

Legislator Losquadro. All those in favor? Opposed? Abstentions? ***Tabled (VOTE: 6•0•0•1 • Not Present: Legislator Browning).***

***IR 1235•06 • Accepting and appropriating 100% Federal funds from the New York State Unified Court System for a contract with the Suffolk County Department of Probation to enhance existing Drug Court Program Operations and authorizing the County Executive to execute grant related agreements (County Executive).***

**LEG. SCHNEIDERMAN:**

Motion to approve and place on the consent calendar.

**LEG. LOSQUADRO:**

Motion to approve and place on consent calendar.

**CHAIRMAN EDDINGTON:**

Okay, thank you, by Legislator Losquadro and second by Legislator Horsley. All in favor? Opposed? Abstentions? Okay. ***Approved and placed on the consent calendar (VOTE: 6•0•0•1 Not Present: Legislator Browning).***

***IR 1240•06 • Appropriating funds in connection with the Rocky Point Tower Site (CP 3235)(Losquadro).***

**LEG. LOSQUADRO:**

Mr. Chairman, I will make a motion to table; if I could just get a second I'll

explain.

**LEG. VILORIA•FISHER:**

I will second that.

**LEG. LOSQUADRO:**

Second, okay. On the motion, I had put this in, due to scheduling this will not come before CEQ until the 15th, so CEQ has not been completed on this resolution. On its completion, I spoke with the Water Authority and they are currently reviewing the Memorandum Of Understanding, one has already been signed with the Rocky Point Fire Department so we do not foresee any difficulties. And once these two steps are completed, I'm confident that this will move forward at the next meeting. So in the interim, we'll hold off on it until it's done.

**CHAIRMAN EDDINGTON:**

Thank you, Legislator.

**LEG. VILORIA•FISHER:**

I have a question, if I may, through the Chair, to the sponsor.

**CHAIRMAN EDDINGTON:**

Absolutely.

**LEG. LOSQUADRO:**

Yes?

**LEG. VILORIA•FISHER:**

This is currently •• when I looked at the resolution, I was looking to see if there was an offset moving from one to another, and as I read it I was a little confused because this is Capital Program and it's in the Capital Program for 2006.

**LEG. LOSQUADRO:**

Uh•huh.

**LEG. VILORIA•FISHER:**



And I believe we're ready to move forward; why do we need the resolution at this point in time?

**LEG. LOSQUADRO:**

This is just to appropriate the funds.

**LEG. VILORIA • FISHER:**

It's just an appropriating ••

**LEG. LOSQUADRO:**

It's just an appropriating resolution.

**LEG. VILORIA • FISHER:**

Okay, so it doesn't ••

**LEG. LOSQUADRO:**

But to move forward with the actual construction, CEQ needs to be completed.

**LEG. VILORIA • FISHER:**

Right.

**LEG. LOSQUADRO:**

Since one of the benefits of this project is it's being installed on an existing structure, it's the highest point in Rocky Point, it is the water tower owned by Suffolk County Water Authority.

**LEG. VILORIA • FISHER:**

Right, I know about the MOU.

**LEG. LOSQUADRO:**

Right, they've already granted that to the fire department. So, you know, as soon as we get that agreement in place and CEQ is completed, we can move forward with the bonding of the money and get this installed to improve communications.

**LEG. VILORIA•FISHER:**

Right. And all of us who live in that area know the need for this and how important it is, so I'm sure we'll move it forward as fast as we can. Thank you.

**CHAIRMAN EDDINGTON:**

Okay. So on the motion I have a Legislator Losquadro. Second by?

**LEG. LOSQUADRO:**

Legislator Viloria•Fisher.

**CHAIRMAN EDDINGTON:**

Legislator Viloria•Fisher, okay. So tabled. All those in favor? Opposed? Abstentions? Okay. ***Tabled (VOTE: 6•0•0•1 Not Present: Legislator Browning).***

Motion for adjournment?

**LEG. CARACAPPA:**

Yes.

**CHAIRMAN EDDINGTON:**

Legislator Caracappa and Legislator Schneiderman. Thank you very much.

***(\*The meeting was adjourned at 12:50 P.M.\*)***

***Legislator Jack Eddington, Chairman  
Public Safety & Public Information Committee***

\\_ \\_ • ***Denotes Spelled Phonetically***